

FILED 09 MAR 16 14:57 USDC ORP

IN THE UNITED STATES DISTRICT COURT  
FOR THE  
DISTRICT OF OREGON

SUZANNE NORR,

Plaintiff,

vs.

MICHAEL J. ASTRUE,  
Commissioner of Social Security,

Defendant

Civil No. 3:08-CV-6149-MA

ORDER

Based on the stipulation of the parties, it is ORDERED that the Commissioner's decision in regard to Plaintiff's application for disability benefits under Title II of the Social Security Act be reversed and remanded to the Commissioner of Social Security for further administrative proceedings pursuant to sentence four of 42 U.S.C. § 405(g). On remand, the ALJ will hold a *de novo* hearing and Plaintiff may raise any issue. The ALJ will: (1) reevaluate Plaintiff's work history during the period at issue and consider whether earnings in 2004 were for actual work activity; (2) reevaluate and articulate the weight given to "acceptable medical source" evidence, including opinion evidence provided by Michelle Rasmussen, M.D.; Raylene L. Gordin, M.D.; Ronald R. Yamada, M.D.; Leslie Pitchford, Ph.D.; acceptable medical sources from The Pacific Family Medical Center; and nonexamining source opinions; (3) reevaluate "other source"

evidence in the record and articulate the weight given, including records of Michael Hammond, Ph.D., a Licensed Marriage and Family Therapist and Professional Counselor; records from The Pacific Family Medical Center; and records from New Perspectives Center; (4) if appropriate, request additional evidence or further clarification of medical source opinions or statements; (5) if warranted, obtain additional evidence concerning Plaintiff's alleged mental impairment, which may include a consultative examination; (6) reevaluate Plaintiff's residual functional capacity; (7) if warranted, obtain supplemental evidence from a vocational expert to clarify the effect of the assessed limitations on Plaintiff's occupational base.

Plaintiff is entitled to seek costs and reasonable attorney fees pursuant to the Equal Access to Justice Act, 28 U.S.C. § 2412(d), upon proper request to this Court.

DATED this 16 day of March, 2009.

  
UNITED STATES DISTRICT JUDGE

Presented by:

s/ Thomas M. Elsberry  
THOMAS M. ELSBERRY  
Special Assistant United States Attorney  
(206) 615-2112  
of Attorneys for Defendant